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**PATENT APPLICATION**

Assistant Commissioner for Patents  
**Official of Initial Patent Examiner**  
**Customer Service Center**  
Washington, D. C. 20231

**REQUEST FOR CORRECTED FILING RECEIPT**

Sir:

In connection with the below-identified application:

Applicants

**DANNY CHIN**  
**CLEMENT G. TAYLOR**  
**JESSE S. LERMAN**

Title of application:

**METHOD AND APPARATUS FOR PERFORMING  
USER MIGRATION WITHIN A VIDEO ON  
DEMAND ENVIRONMENT**

Serial No.: **09/733,808**

Filed: **12/8/00**

Attorney Docket No.:

**DIVA/241**

please issue a CORRECTED filing receipt reflecting the additional  
information reflected in Applicants' missing parts submission.

Respectfully submitted,

4/25/01

EJ Wall

Eamon J. Wall  
Reg. No. 39,414  
(732) 530-9404

Thomason, Moser and Patterson, LLP  
Attorneys At Law  
595 Shrewsbury Avenue  
First Floor  
Shrewsbury, NJ 07702

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited  
on 4/25/01, with the United States Postal Service  
as first class mail, with sufficient postage, in an envelope  
addressed to the Assistant Commissioner for Patents, Box Missing  
Parts, Washington, D.C. 20231.

*Kevin E. Crater*  
Signature

4/25/01  
Date of signature



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**PATENT APPLICATION**

The Commissioner of Patents and Trademarks  
Applications Branch  
Washington, D. C. 20231

Sir:

In response to a "Notice to File Missing Parts of Nonprovisional Application" we received in connection with the following US patent application:

Applicant(s): Danny Chin  
Clement G. Taylor  
Jesse S. Lerman

Title of application: METHOD AND APPARATUS FOR PERFORMING USER  
MIGRATION WITHIN A VIDEO ON DEMAND  
ENVIRONMENT

Serial No.: 09/733,808

Filed: December 8, 2000

Attorney Docket No.: DIVA/241

We enclose the following material herewith:

XX Declaration;  
XX Applicant is a small entity;  
\_\_\_\_ Verified English translation of the application;  
\_\_\_\_ Our check in the amount of \$ \_\_\_\_\_ to cover the  
basic filing fee of \$ \_\_\_\_\_, additional claim  
fees of \$ \_\_\_\_\_ and the surcharge under  
37 CFR 1.16(e) in the amount of \$ \_\_\_\_\_;  
XX Copy of Notice to File Missing Parts of Nonprovisional Patent  
Application issued in connection with this application.

We have also enclosed the following item(s) in  
connection with this application:

XX A claim to priority U.S. Provisional Patent Application  
Serial No. 60/170,439, filed December 10, 1999  
Priority Document;  
XX Other: Assignment to DIVA Systems Corporation  
with Recordation Cover Sheet

Please charge the Application Fee in the amount of \$355 and the surcharge under 37 CFR 1.16(e) in the amount of \$65, and any additional fees, including but not limited to any 37 C.F.R. 1.136(a)(3) extension fee, to Deposit Account 50-1316. Applicants are a small entity. To facilitate the deposit account charges, a duplicate copy of this letter is also enclosed herewith.

Substitute drawings in compliance with 37 CFR 1.84 have been submitted.

Please issue a corrected filing receipt as appropriate. A Request for Corrected Filing Receipt accompanies this submission.

Respectfully submitted,



Eamon J. Wall, Attorney  
Reg. No. 39,414  
(908) 530-9404


Dated: 4/25/01

EJW:lec  
Encls.

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CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on 4/25/01 with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to the Commissioner of Patents and Trademarks, Attention: Box Missing Parts, Washington, D.C. 20231.

  
Signature

LAURA E CRATER  
Name of Person Signing



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/733,808	12/08/2000	James B. Armstrong	

CONFIRMATION NO. 3084

## FORMALITIES LETTER



\*OC000000005728047\*

Thomason, Moser & Patterson, LLP  
595 Shrewsbury Avenue, Suite 100  
Shrewsbury, NJ 07702

Date Mailed: 02/02/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

06/12/2001 TV0111 00000002 501316 09733808

01 FC:201 355.00 CH  
02 FC:205 65.00 CH

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 840.

The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been omitted from the application:

- Figure(s) 4 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

Haimanot Tegbaru

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE